absence of the Registrar appointed by Government or when the office is temporarily vacant till the appointment is filled up by Government rests under Section 10 of the Indian Registration Act, 1877, with the Inspector General. That officer should issue a circular order designating the persons on whom the duties of Collector and District Magistrate might devolve under Section 11 of the Land Revenue and Criminal Procedure Codes as the persons appointed by the Inspector General to act in such vacancies until the Local Government fills them up. (G. L. No. 2117, dated 22nd March 1893.)

2. Section 30 (*b*) of Act III of 1877 empowers the Registrar of a District, including a Presidency town, to receive and register any document* referred to in Section 28, without regard to the situation (in any part of British India) of the property to which such document relates. Section 67 provides that on any document being so registered, a copy thereof, and of the endorsements and certificate thereon, shall be forwarded to every Registrar within whose district any part of the property to which the instrument relates is situated, and the Registrar shall, under Section 66, forward a memorandum of such document to each Sub-Registrar subordinate to himself, in whose sub-district any part of the property is situated. A case was brought to the notice of the Government of India, in which after effecting the registration of a deed under Section 30 (*b*) of the Act, the Registrar who originally registered the deed failed to comply with the directions contained in Section 67 of the Act, in respect of the transmission of the record of registration to every Registrar within whose district any part of the property to which the instrument related was situated. The necessary result of this omission was that the record of registration remained incomplete, and failed to show existing encumbrances on the property to which the document registered related. In order to prevent the recurrence of such omissions, the special attention of the Inspector General of Registration is drawn to the matter in view to the issue of stringent instructions for a strict compliance with the requirements of the law. (G. I., H. R. & A., No. 47—1651, dated 28th October 1880; *vide* G. R. No. 6119, dated 19th November 1880.)

*Documents relating to immovable property.

3. The District Registrar may, if he so desires, place his office safe in the treasury of his Huzúr station for safe custody. (G. R. No. 5687, dated 21st July 1884.)

VI.—SUB-REGISTRARS.

1. The appointment of Sub-Registrars rests with Government under Section 6 of Act III of 1877. The appointments to permanent vacancies should not be made in anticipation of the sanction of Government. When a vacancy in an appointment of

Sub-Registrar is about to occur, the Registrar should report the fact to the Inspector General of Registration and make any recommendation which he thinks fit regarding the successor. The Inspector General of Registration may either adopt the recommendation of the Registrar or make any other which he thinks more suitable. Section 12 of the Act provides that when a Sub-Registrar is absent, or when his office is temporarily vacant, any person whom the Registrar appoints shall be Sub-Registrar during such absence or until Government fills up the vacancy. In accordance with this provision, the Registrar should arrange for the performance of the duties pending the appointment of a Sub-Registrar by Government, if the vacancy occurs before the appointment is made, but it should not be understood that such temporary appointment affects the permanent appointment to be made by Government; and on the other hand the Inspector General has no legal power to interfere with such temporary appointments. (G. R. No. 3402, dated 23rd May 1882.)

2. In 1884 Government sanctioned as an experiment the following plan proposed by the Inspector General of Registration and Stamps, and observed that in working it Government Resolution No. 3402, dated 23rd May 1882, should not be overlooked, and that the proposal was understood to be subsidiary to the orders in that Resolution :—

"The nomination to all vacancies in Sub-Registrarships for periods exceeding three months in duration should alternate between the Registrar of the District and the Inspector General. The officer who makes the initiatory nomination should make the further nominations arising out of it, *i.e.* if it is the Registrar's turn to nominate to a vacancy in the upper grades in his district, the flow of promotion thereby occasioned in that district should be at his disposal, the same holding good as regards the Inspector-General's privileges when the initiatory nomination rests with him. In the case of a Registrar with the concurrence of the Inspector General nominating a Sub-Registrar from another district to a vacancy occurring in his district, the nomination to fill such transfer-vacancy and others which might arise therefrom should also be regulated as above stated."

(G. R. No. 5589, dated 11th July 1884.)

3. The Inspector General of Registration and Stamps should inform the Accountant General of the dates on which Sub-Registrars give over and receive charge of their duties. (G. R. No. 1954, dated 16th April 1878.)

4. The Inspector General of Registration and Stamps cannot even in cases of emergency transfer in a permanent sense a Sub-Registrar from one post to another in anticipation of the sanction of Government. (G. R. No. 7798, dated 22nd November 1888.)

5. The sanction of Government is necessary even in the case of temporary transfers of Sub-Registrars made as a disciplinary arrangement. (G. R. No. 6894, dated 14th September 1889.)

6. The Inspector General of Registration may suspend a Sub-Registrar, but he should report his proceedings to Government after inquiry into the case. (G. R. No. 1371, dated 17th March 1874.)

7. The salaries of all the Sub-Registrars in the Presidency proper excepting the Sub-Registrar of Bombay and the Sub-Registrar and Táluka Village Registrar of Haveli should be personal and not local. (G. Rs. Nos. 318, dated 14th January 1889, 2819, dated 24th April 1891, and 3900, dated 9th June 1891.)

8. The Sub-Registrars in the Presidency proper (with the exception of the town and island of Bombay) should in addition to their fixed salaries receive 20 per cent. of the fees collected by them. (G. R. No. 3373, dated 22nd September 1866.)

9. The Sub-Registrars of Hyderabad, Shikárpur, Sukkur, Lárkhána, Rohri and Dádu should be paid at the rate of 40 per cent. on the gross collections, subject to the following maximum limits :—

		Rs.
Sub-Registrar of	Hyderabad	125
Do.	Shikárpur	125
Do.	Sukkur	80
Do.	Lárkhána	80
Do.	Rohri	70
Do.	Dádu	60

The other Sub-Registrars in Sind (excepting the Sub-Registrar of Karáchi whose pay has been fixed at Rs. 100 per mensem by Government Resolution No. 5084, dated 16th July 1889) should be paid at the rate of 50 per cent. of the fees. (G. Rs. Nos. 6971, dated 12th October 1887, and 5952, dated 31st August 1891.)

10. The Sub-Registrar of Aden should be allowed 20 per cent. on the gross collections in his office. (G. R. No. 5183, dated 11th September 1875.)

11. The percentage allowance to Sub-Registrars is not to exceed Rs. 200 per mensem. (G. I., H. D., No. 527, dated 11th February 1873; *vide* G. R. No. 952, dated 18th idem.)

12. When a permanent Sub-Registrar takes sick leave or leave on private affairs, the percentage fees may be drawn in full by the *locum tenens*, who will pay the establishment. (G. Rs. Nos. 1565, dated 16th April, and 2522, dated 23rd June 1869.)

13. For the payment of percentage allowances to officiating Sub-Registrars the amount of the percentage on fees received during any one month should be taken as whole, and dividing that whole by the number of days in the month he should have the due proportion of the whole amount for the number of days he has officiated. (G. R. No. 7069, dated 11th October 1882.)

14. Each of the Sub-Registrars employed in the districts in which the Dekkhan Agriculturists' Relief Act is in force should also be allowed 75 per

B 1955—5 R

cent. of the fees paid on instruments registered by him in his capacity of Táluka Village Registrar or Village Registrar and 5 per cent. on the monthly realizations from the registration fees of the villages in the táluka of which the Sub-Registrar is Táluka Village Registrar. The 5 per cent. should be calculated upon the total receipts before any deduction has been made. (G. Rs. Nos. 452, dated 21st January 1881, and 1186, dated 26th February 1881.)

15. In the Bombay Presidency, Clerks to the Inspector General of Registration and Stamps, Inspectors and their Clerks, Registrars' Clerks or Kárkúns, and Clerks in the office of the Sub-Registrar of Bombay when appointed to act in graded Sub-Registrarships are as a very special case exempted from the operation of Article 156 of the Civil Service Regulations. (G. R. No. 7939, dated 7th October 1892.)

16. All Sub-Registrars when taking charge of a Registry Office should compare the books and property handed over to them with the lists furnished to them, and certify that they have done so. Strict instructions should be issued on this point, and care taken that they are complied with. (G. R. No. 3509, dated 20th August 1869.)

17. Sub-Registrars in the mofussil should be addressed by the title of A'zam in official correspondence. (G. R. No. 8035, dated 1st November 1883.)

Note.—The use of the word "A'zam" does not imply that the person addressed has such a title *ex officio*; the term may be used as the equivalent of the English "Mr.", and should not be formally conferred *ex officio* or otherwise on any individual or class of officers. (G. R., P. D., No. 4122, dated 27th June 1887; *vide* G. M. No. 4845, dated 25th July 1887.)

18. Sub-Registrars should give security in the following amounts, *viz.*:—

	Rs.
Sub-Registrar, Bombay	3,000
1st Grade Special Sub-Registrar...	750
2nd Do. Do. ...	500
3rd Do. Do. ...	350
4th Do. Do. ...	250
1st Grade Sub-Registrar	200
2nd Do. Do.	150
3rd Do. Do. and the Sub-Registrar of Peint	100

(G. R. No. 1152, dated 4th March 1878.)

Note.—Under the Resolution of the Government of India in the Department of Finance and Commerce, No. 2232, dated 25th July 1883 (Government Resolution, Financial Department, No. 3031 dated 17th August 1883), it is left optional with subordinate Revenue officers, who are entrusted with the charge of public money, either to deposit Government Promissory Notes, or to execute a bond in the form contained in Schedule B of the Land Revenue Code of 1879.

19. Sub-Registrars are to be considered ministerial officers, though their appointments are gazetted. (G. R. No. 6088, dated 25th October 1876.)

Note.—In Government Resolution No. 6788, dated 26th September 1890, it has been held that Village Registrars are not ministerial officers.

20. As the appointments of Sub-Registrars are made by Government, returns of the Sub-Registrars who own landed property should be submitted to Government, in order that the object of these returns* may not be defeated. (G. R. No. 4759, dated 3rd July 1886.)

21. The Sub-Registrars of Ahmednagar, Jámkhed, Shevgaon and Nevása, in the Ahmednagar District, are permitted to daily deposit, after the close of their offices, in the treasury rooms at the respective places their office boxes containing Government cash or original documents, registered or awaiting registration, remaining in their hands. (G. R. No. 5024, dated 27th July 1888.)

22. When it is proposed to open a new Sub-Registry office, the opinion of the Registrar of the District should also be obtained and forwarded to Government with the papers by the Inspector General of Registration and Stamps. (G. R. No. 6351, dated 7th September 1886.)

23. All ordinary repairs to Sub-Registry offices should be effected at the same time as the kacheris of which they form a part are repaired. (G. R. No. 189, dated 10th January 1883.)

VII.—INSPECTION.

1. The Inspector General of Registration and Stamps should so arrange his tour of inspection that a different set of offices should come under his observation each year so that the whole should be inspected periodically. (G. R. No. 6056, dated 16th November 1880.)

2. Under Section 8 of the Indian Registration Act, 1877, His Excellency the Governor in Council is pleased to direct that the duty of Inspectors of Registration Offices in the Presidency of Bombay shall be the inspection and examination, subject to such rules or orders as may from time to time be made by the Inspector General, of the offices of Sub-Registrars. (G. R. No. 1152, dated 4th March 1878.)

3. The Inspectors of Registration are bound to inspect every Sub-Registrar's office in their divisions and are responsible for any errors that may escape their observation, and which may be subsequently brought to light. (G. R. No. 6678, dated 17th December 1874.)

4. The Inspectors while examining Sub-Registry Offices should personally examine the Register-Books proper, *i. e.* books Nos. 1, 2, 3 and 4; in the examination of the remaining books, *i. e.* Supplement to Book No. 1, Parts 1 and 2 (consisting of memorandum and map files), Minute Book, Cash Book, Day Book, Batta Book, Receipt Book, Notice Book, Refund Book, Indexes, and in the examination also of the current miscellaneous records of a Sub-

* *Vide* G. R., G. D., No. 833, dated 4th March 1886.